

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHRIS MANZO,

Plaintiff,

vs.

RIO CASINO & HOTEL, et al.,

Defendant,

Case No. 2:14-cv-00172-JAD-GWF

ORDER

This matter was before the Court on Plaintiff's Application to Proceed *in Forma Pauperis* (#1) and Complaint (#1-1), filed on January 30, 2014. In its Order (#2) filed June 27, 2014, the Court denied Plaintiff's Application to Proceed *in Forma Pauperis* for failing to fill out the form in its entirety. Therein, the Court ordered Plaintiff to file a completed Application or pay the filing fee of \$400 within thirty days to proceed with his case. *See Dkt. #2*. Plaintiff subsequently filed exhibits including his 2013 social security statement, IRS form 1099-R, and his Chapter 13 Bankruptcy Plan. *See Dkt. #3*.

These documents are not sufficient to proceed *in Forma Pauperis*. Pursuant to the Court's Order (#2), Plaintiff must file an amended Application to Proceed *in Forma Pauperis*, answering all of the questions as required. Specifically, Plaintiff failed to complete the second part of question three requesting the various sources and amounts of money received. For example, at question 3, Plaintiff checked the boxes indicating he receives a pension, annuity, or life insurance payments and another source of income. At the second part of question three, however, he neglected to state what the other source of income was and the amounts of the income he receives. Furthermore, at question 6, Plaintiff indicated his only monthly expense was a \$1,400 car payment

1 without indicating housing, utility, and other expenses. Based on the information provided by the
2 Plaintiff, the Court was unable to determine whether Plaintiff was capable of paying the \$400 filing
3 fee. Additionally, the exhibits Plaintiff filed are procedurally improper because Plaintiff must sign
4 a declaration under penalty of perjury vouching for the information contained in the Application to
5 Proceed *in Forma Pauperis*. Plaintiff therefore must submit a new Application with the required
6 information and signed declaration to ensure the Court is permitted to consider his request.

7 Furthermore, the Court cautions Plaintiff to ensure he does not file paperwork with
8 confidential information. Plaintiff recently submitted a Social Security Statement that contained
9 his social security number. The Clerk of the Court was diligent in catching the filing error and filed
10 Plaintiff's exhibits under seal to protect the confidential information from public dissemination.
11 Plaintiff, however, is advised that court filings are public records so he should protect his
12 confidential information by redacting the confidential parts or, if the information is necessary to the
13 proceeding, request to file the document under seal. Accordingly,

14 **IS HEREBY ORDERED** that Plaintiff shall have until **June 26, 2014** to either file a
15 completed application to proceed *in forma pauperis* or pay the filing fee of \$400.00, or the above-
16 captioned case shall be dismissed.

17 DATED this 16th day of June, 2014.

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20 GEORGE FOLEY, JR.
21 United States Magistrate Judge
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